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Category



OKLAHOMA CRIMINAL DEFENSE WEEKLY

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[James L. Hankins,](#)
Publisher

(with special thanks to Mark Hoover, OIDS, for contributing regularly)

“I have lived my life, and I have fought my battles, not against the weak and the poor—anybody can do that—but against power, against injustice, against oppression, and I have asked no odds from them, and I never shall.”----Clarence S. Darrow, *Attorney for the Damned* 491, 497 (Arthur Weinberg ed. 1957).

OKLAHOMA

No cases of note.

TENTH CIRCUIT

[United States v. Raul Guzman](#), No. 24-2122 (10th Cir., August 8, 2025) (Published) (Matheson, Bacharach & McHugh): **Search and Seizure (Standing)**: This case involves denial of a motion to suppress evidence found in a camper trailer where Guzman was living. The panel affirmed on the basis that he lacked a reasonable expectation of privacy and thus lacked Fourth Amendment standing.

[United States v. Raymundo Guevara-Lopez](#), No. 24-2045 (10th Cir., August 4, 2025) (Published) (Hartz, Phillips & Federico): **Federal Sentencing Guidelines (Disparity)**: The defendant pled guilty to bulk-cash smuggling for drug cartels based in Mexico. The range was 24-30 months, but the district court varied upward to the 60-month maximum. He appealed this sentence as substantively unreasonable and in this split opinion, the majority agreed. NOTE: Judge Hartz dissented.

[United States v. Dakota Wayne Campus](#), No. 24-5068 (10th Cir., August 4, 2025) (Published) (McHugh, Eid & Federico) (N.D. Okla.): **Federal Sentencing Guidelines (Double Counting; Restraint of Victim)**: Campus assaulted his pregnant fiancée in Indian Country for which he was sentenced to 240-months. In this opinion the panel affirmed over his claim that an adjustment for “restraint” of a victim should not have been applied to him because he had received a different enhancement for conduct that inherently involves a degree of restraint. NOTE: Judge Eid concurred in the judgment only.

UNITED STATES SUPREME COURT

“Only Supreme Court justices and schoolchildren are expected to and do take the entire summer off.” –*Chief Justice John Roberts (statement made while he served as a lawyer in the Reagan Administration).*

No new cases.

VICTORIES

[JAMES BENITEZ](#), Kay County, secured a not guilty verdict in a murder case out of Kay County. The State’s case revolved a single-person, overly suggestive line-up and told the witness that if she did not cooperate the killer would likely return to kill her and her kids. She admitted at trial that this scared her and that she did not really know who the shooter was. The State tried other tricks, and Judge Lee Turner was not exactly helpful, but this is apparently the sixth acquittal for

James in the last year—with two of them coming in Murder I cases. Great job, James!

DAN GOOD, OKC, has teed up an impressive 6-0 record during a two-day span against Service Oklahoma in driver's license hearings in Oklahoma County (some no-shows, some contested hearings). Very impressive, Dan!

HEARSAY

THE HULK: Lou Ferrigno, in Sapulpa filming a movie, says he also enjoys a career as a reserve deputy in Los Angeles County.

SHARK TANK: Inmates at Jess Dunn Correctional Center participated in a “Shark Tank” style event.

RETIRED: The Chief of Police at O.U. has announced his retirement.

FIRE: The home of a McClain County Deputy was set on fire with the deputy and his family inside.

REEFER: Law enforcement officers are concerned about the possibility of recreational marijuana in Oklahoma.

INSURANCE: Officials in Oklahoma County are concerned about insurance coverage for the county jail.

REFUND: The new mental health facility planned in OKC has become too expensive to build, now county commissioners want their money back.

MISTRIAL: A mistrial has been granted in a Comanche County manslaughter case because the ADA suddenly fell ill.

SHRINK: Oklahoma as its first full time “perinatal psychiatrist.”

ODD STORY: Cherokee County DA Jack Thorp has sided with a Tahlequah police offer over one of his own ADA's.

RIP: Former Lawton Chief of Police Billy Adamson has passed.

OLD NEWS: The City of Henryetta has declared that the McGirt decision is “old news.”

LEGAL: Kratom is still legal in Oklahoma, but a ban may be forthcoming.

RELEASE: Oklahoma County inmates are being released from custody 2.5 days after the judge signs the order for release on O.R. bond because of “staffing shortages.”

HELP: A.G. Drummond has deployed state agents to police the town of Okemah after five police officers, including the Chief of Police, were terminated or resigned.

TEENS: DHS and OJA have teamed up to help teens via a first-time offender program.

GRANT: The Ottawa County Sheriff’s Office will receive some new equipment after receiving a state grant.

AGREEMENT: Sixteen city, county, and state law enforcement agencies have entered into so-called “287(g) agreements” with ICE since January.

SUED: A woman who was shoved by an Edmond police officer at the Oklahoma County Jail is suing when it resulted in a broken leg.

WACKY CRIME

HAD PERMISSION: A burglar in Duncan claimed that he had permission to enter the home...from the dog.

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SUBSCRIPTIONS AND SUBMISSIONS: No subscriptions are necessary. I will post the issues weekly to my web site: www.ocdw.com. Submissions of articles, war stories, letters, victory stories, comments or questions can be sent to Mr. Hankins via e-mail (jameshankins@ocdw.com) or you can contact him by phone at 405.753.4150, by fax at 405.445.4956, or by regular mail at James L. Hankins, MON ABRI BUSINESS CENTER, 2524 N. Broadway, Edmond, OK 73034.

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